



DIVISION OF CRIMINAL JUSTICE
Supplement Report

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File Number 012003.av: MVR Camera for Patrolman Orndorf's Vehicle

May 22, 2019

On this date, I spoke to Louis Shapiro, Audra Capps' attorney in an effort to speak to his client. Shapiro indicated that Capps would like to speak to me. He would reach out to her in regards to her schedule and contact me.

May 28, 2019

At approximately 16:57 hrs, I spoke to Louis Shapiro and scheduled an interview to speak to Audra Capps on May 30, 2019 at 14:00 hrs at the Division of Criminal Justice- Southern Headquarters located at 5 Executive Campus in Cherry Hill, New Jersey.

May 30, 2019

Interview of Audra Capps

At approximately 1:58 hrs, Lieutenant Lisa Cawley, Deputy Attorney General Brian Uzdavinis, and I met with Audra Capps and her attorney, Louis Shapiro, at the Division of Criminal Justice's Southern Headquarters in the front conference room. Capps stated that although she takes prescription narcotics, on this date, she did not because she knew she had to make a statement.

On February 25, 2018, Capps recalls leaving dinner with a friend and was then pulled over by Millville Police Department in the area of Clark's Liquors. Officer Bryan Orndorf was the first officer to make contact with her asking for her identification. He informed her that he believed she was under the influence of alcohol and was not qualified to do the field sobriety testing.

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Officer Dixon then arrives on scene and takes over the motor vehicle stop and told Capps to get out of the vehicle. She said she did not comply to his request at first because she wanted to call her husband but he told her she was not allowed to. She tried to call her husband, Robbie, but did not talk to him so she got out of the car.

Capps said she then did the standardized field sobriety testing conducted by Officer Dixon. Officer Dixon did not feel that she passed and told her she was under arrest. She said she panicked because she was never arrested before which caused her to become scared. Officer Dixon took both of her wrists and she pulled away from him which caused him to lose grip of her. Capps explained that she did this because she just wanted to call her husband and was not going for the officer's weapon. She said she did not know where it was located on him and she would never be violent. She said he then took her by her neck and slammed her to the ground. The left side of her body, including her cheek, struck the ground and landed on her ribs.

Officer Dixon and Officer Orndorf then pushed her into the ground in the back region with their knees and gave her knee strikes. She said she could not move, could not breathe, and thought she was dying. She was then placed in handcuffs, continued to be kneed, and then was picked up off of the ground by Officer Dixon.

Capps was then placed in the rear of the police car. When she was in the rear of the police car, she told the officers that she could not breathe, needed to call her husband, and needed to go to the hospital. She told the officers that she could not breathe and she believed her ribs were broken.

Capps was then brought to the Millville Police Station where the officers called her husband. When she was seated handcuffed behind her back, she was in a lot of pain and asked for the cuffs to be removed but they did not. She knew that her ribs were broken because she saw one protruding through her shirt. She knew it was broken because of the only explanation for the amount of pain that she was experiencing.

While at the station, she said she did not ask to go to the hospital again because she already begged them enough on scene. She knew her husband was coming to get her and he would take her to the hospital.

Capps said she did not provide a breath sample into the Alcotest machine because she could not breathe. She became quiet and waited for her husband to arrive to pick her up.

When her husband arrived, he took her to Inspira Hospital in Bridgeton. The hospital staff told her it was a contusion and was sent home with pain killers. The next day, she was still in pain and went back to Inspira in Bridgeton. They told her she had one (1) broken rib. She followed up with a specialist, Dr. Disabella, at Premier Orthopedics in Elmer, New Jersey.

Dr. Disabella told her that she had seven (7) broken ribs and one (1) rib that needed to be removed because it was a slipped rib. Capps said she then went to Penn University and saw Dr. Adam Shiroff.

Dr. Shiroff and his associate, Dr. Schuster has provided her care and conducted surgeries to this date.

Capps described Officer Dixon as being much larger than her. He is approximately six feet two inches tall and weighs about 250 pounds. At the time of the arrest, she said she weighed about 95 pounds.

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Capps said she had to plead guilty to resisting an arrest to the DUI. At the time, she did not feel that she was resisting arrest but later found out that because she pulled away from the officer that was considered resisting arrest.

Capps said that Officer Dixon ruined her life and used excessive force. She feels that he almost killed her. She just pulled away from him because she wanted to call her husband. She does not feel that she was being violent, mean, or screaming when she was being arrested.

At the conclusion of the interview, Shapiro provided me with a copy of photographs and medical records that are being used in Capps' lawsuit. Attached are the records that were provided.

May 31, 2019

At approximately 09:16 hrs, I received the CAD report for this incident from Detective Loteck.

CAD Ticket



June 17, 2019

At approximately 14:29 hrs, I received the Evidence Log from Detective Loteck of the Millville Police Department, Internal Affairs. According to the log, three discs containing recordings of the incident were logged into evidence.

Please See Evidence Log for further details.

July 10, 2019

Interview of Officer Antonio Delfinado

At approximately 13:00 hrs, Lieutenant Lisa Cawley, Deputy Attorney General Brian Uzdavinis, and I met with Officer Delfinado at the Division of Criminal Justice's Southern Headquarters in the training room. Officer Delfinado was advised that even though Internal Affairs Detective Loteck requested him to meet with us, he was not obligated to answer any questions and this does not fall under Internal Affairs procedure. Officer Delfinado agreed to speak to us.

Officer Delfinado is a fourteen (14) year veteran of the Millville Police Department. He graduated from Vineland Police Academy in 2005 and has four (4) years of military experience with the United State Marine

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